

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
AT MARTINSBURG**

**WILLIAM L. TALBOTT, JR. and
PAMELA TALBOTT as husband and
wife,**

Plaintiffs, **CIVIL ACTION NO. 3:15-CV-105 (Groh)**

v.

**BEN W. HOOPER, III,
ADMINISTRATOR OF THE ESTATE
OF DAVID L. BOLING, FRONTIER
TRANSPORT CORPORATION,
ONLINE TRANSPORT SYSTEM, INC.
and ONLINE TRANSPORT, INC.,**

Defendants.

STIPULATION OF DISMISSAL

COME NOW the Plaintiffs, William L. Talbott, Jr. and Pamela Talbott, by counsel Douglas A. Spencer and the law firm of Hill, Peterson, Carper, Bee & Deitzler, and James M. Kessell and the law firm of Allen, Allen, Allen & Allen; the Defendants, Online Transport, Inc., Online Transport System, Inc., Frontier Transport Corporation, and Ben W. Hooper, III, Administrator of the Estate of David L. Boling, by counsel Robert L. Massie and Megan B. Davis and the law firm of Nelson Mullins Riley & Scarborough LLP; and the underinsured motorist carrier, ACE American Insurance Company, by counsel Michelle B. Skeens and the law firm of Dickie, McCamey & Chilcote, L.C. (collectively, "Parties"), and hereby represent to this Court that all matters in dispute between the Parties have been resolved, as evidenced by the signatures of their respective counsel below.

WHEREFORE, based on the resolution of the matters in dispute between the Parties, Plaintiffs hereby request that this Court dismiss their claims against Defendants, Online Transport, Inc., Online Transport System, Inc., Frontier Transport Corporation, and Ben W. Hooper, III, Administrator of the Estate of David L. Boling, as well as all matters in controversy between the Plaintiffs and the underinsured motorist carrier, ACE American Insurance Company, WITH PREJUDICE pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, to which all parties agree and consent; the Court being otherwise sufficiently advised,

IT IS HEREBY ORDERED AND ADJUDGED that all claims of Plaintiffs William L. Talbott, Jr. and Pamela Talbott against the Defendants in the instant action, Online Transport, Inc., Online Transport System, Inc., Frontier Transport Corporation, and Ben W. Hooper, III, Administrator of the Estate of David L. Boling are hereby **DISMISSED WITH PREJUDICE**. Likewise, all matters in controversy between the Plaintiffs and the underinsured motorist carrier, ACE American Insurance Company are hereby **DISMISSED WITH PREJUDICE**.

This is a final Order and there is no just cause for delay in its entry. Each party shall bear its own costs.

ENTERED this ____ day of _____, 2016.

HON. GINA M. GROH
United States District Court Judge

SO STIPULATED:

/s/Douglas A. Spencer

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